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1945

File No. Fire Wood II/45

Leg-I Department.

B **BRANCH**

Subject:— Regulations and Notifications under the Bombay Fire wood Trade Licensing Order, 1944

1945

File No. Fire Wood II/45

116-B

Office of the R.L.A.

A revised draft Notification is sent herewith. As the forms also cover matter pertaining to accounting of firewood, reference to to clause 11 of the Order is given in the preamble of the draft notification. The Finance Department (Supply) should consider the propriety of mentioning the headings "Forest Division" and "forest Range" (marked with asterisks) in Forms I and II.

o/c sd/- 22/1/45

Remembrancer of Legal Affairs.

U.R. to F.D. (Supply) No. 696 dated the 23rd January 1945.

C.G.R. 16-7-

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Office of the R.L.A.

Revised drafts of the Order and the notifications are sent herewith.

~~o/c~~ sd/- 13/2/45.

Remembrancer of Legal Affairs.

U.R. to F.D. (Supply), No. 1313, dated 13-2-1945.

C.G.R. 16-7

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Office of the R.L.A.

1. This case is an urgent one. The District Magistrate, Satara, wants to get producers to supply directly to retailers. I think orders can be easily issued by him under clause 11 of the Order or under clause 2 of the producer's license. For this purpose the producer has no need to take out any other licence than the one (producer's licence) he already possesses. As for the retailer who purchases from the producer under the District Magistrate's authority, rule 4 of the Defence of India Rules would be adequate protection.

2. As regards the general question raised on the footing that F.D. (Supply) has now revised its intentions and wants to issue more than one kind of licence to the same person, the matter has been discussed with Mr. J.A.Singh, who would like to have the file back for futher consideration at this stage. The file is accordingly returned.

Id/- P.N.M.
28/4/45

Remembrancer of Legal Affairs.

U.R. to F.D.(Supply) No. 3362, dated 30th April 1945.

C.G.R. 16-7

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Office of the R.L.A.

Clause 13 of the Bombay Firewood Trade Licensing Order, 1944, as it stands, gives power to the Provincial Government to prohibit sale or offer for sale of any species of firewood for all areas in which the said Order is in force and not in respect of any local area. Since it is desirable to take power to the Provincial Government to prohibit sale of particular species of firewood either generally or in particular areas, clause 13 of the said Order is amended to carry out this intention.

2. The Finance Department (Supply), Notification No. 455/IV-D(g) dated 8th November 1944 is amended in pursuance of clause 13 of the Order as amended.

c/c sd/-
28/3/45
Remembrancer of Legal Affairs.

U.R. to F.D. (Supply) No. 2449 dated 29th March 1945.

C.G.R. 16-7

Office of the R.L.A.

It appears that according to the existing Government orders charcoal and firewood in transit from an Indian State to another Indian State through British India should not be stopped while passing through the British territory. The question raised for the consideration of the R.L.A. is whether charcoal and firewood from an Indian State once brought into British Indian for sale by importers under the Bombay Charcoal Trade Licensing Order, 1944 and the Bombay Firewood Trade Licensing Order, 1945, can continue to claim the special privilege that it was still an Indian State material and could move to any locality under a permit issued by the authorities of the State from where the material originated.

2. The Bombay Charcoal Trade Licensing Order, 1944 and the Bombay Firewood Trade Licensing Order provide for regulating the trade in charcoal and firewood in the local area to which they are applied. Once these orders are applied to a certain local area no business in importing, manufacturing or dealing in charcoal and firewood can be carried on in that area by any person except under a license.

Consequently if any charcoal or firewood is to be imported into that area from any State, a a licensed importer alone would be competent so to do. It is therefore apparent that the materia material thus imported under a license for sale cannot be considered to be in transit from the State through British territory and no permit from the State could convert it into one in transit. The question whether the firewood and charcoal on import from the State under the two Orders would cease to be State material appears to be immaterial.

o/c sd/- 11/7/45.
Remembrancer of Legal Affairs.

U.R. to F.D. (Supply), No. 5145 dated 13th July

U.R. to F.D.(Supply), No. 5145 dated
13th July 1945.

C.G.R. 16-7